



General Assembly

January Session, 2005

***Raised Bill No. 6746***

LCO No. 3649

\*03649\_\_\_\_\_JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING EVIDENCE TAMPERING, PERJURY AND  
FALSE STATEMENTS BY POLICE OFFICERS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 7-294d of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2005*):

4 (c) (1) The council may refuse to renew any certificate if the holder  
5 fails to meet the requirements for renewal of his or her certification.

6 (2) The council may cancel or revoke any certificate if: (A) The  
7 certificate was issued by administrative error, (B) the certificate was  
8 obtained through misrepresentation or fraud, (C) the holder falsified  
9 any document in order to obtain or renew any certificate, (D) the  
10 holder has been convicted of a felony, (E) the holder has been found  
11 not guilty of a felony by reason of mental disease or defect pursuant to  
12 section 53a-13, (F) the holder has been convicted of a violation of  
13 subsection (c) of section 21a-279 or section 29-9, (G) the holder has  
14 been refused issuance of a certificate or similar authorization or has  
15 had his or her certificate or other authorization cancelled or revoked

16 by another jurisdiction on grounds which would authorize  
 17 cancellation or revocation under the provisions of this subdivision, [or]  
 18 (H) the holder has been found by a law enforcement unit, pursuant to  
 19 procedures established by such unit, to have used a firearm in an  
 20 improper manner which resulted in the death or serious physical  
 21 injury of another person, or (I) the holder has been found by a law  
 22 enforcement unit, pursuant to procedures established by such unit, to  
 23 have committed any act that would constitute tampering with or  
 24 fabricating physical evidence in violation of section 53a-155, perjury in  
 25 violation of section 53a-156 or false statement in the second degree in  
 26 violation of section 53a-157b. Whenever the council believes there is a  
 27 reasonable basis for cancellation or revocation of the certification of a  
 28 police officer, police training school or law enforcement instructor, it  
 29 shall give an adequate opportunity for a hearing prior to such  
 30 cancellation or revocation. Any police officer or law enforcement  
 31 instructor whose certification is cancelled or revoked pursuant to this  
 32 section may reapply for certification no sooner than two years after the  
 33 date on which the cancellation or revocation order becomes final. Any  
 34 police training school whose certification is cancelled or revoked  
 35 pursuant to this section may reapply for certification at any time after  
 36 the date on which such order becomes final.

This act shall take effect as follows and shall amend the following sections:

|           |                        |           |
|-----------|------------------------|-----------|
| Section 1 | <i>October 1, 2005</i> | 7-294d(c) |
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***Statement of Purpose:***

To authorize the Police Officer Standards and Training Council to cancel or revoke the certificate of a police officer or law enforcement instructor who engages in conduct constituting the criminal offenses of tampering with or fabricating physical evidence, perjury or false statement.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

